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C O N F I D E N T I A L SECTION 01 OF 02 BEIRUT 001540

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SUBJECT: LEBANON: ACTING FM MITRI BELIEVES UNSCR 1559
REMAINS VALID

Classified By: Ambassador Jeffrey D. Feltman for reasons 1.4 (b) and (d).

SUMMARY

1. (C) Acting Foreign Minister Tariq Mitri does not believe the election of a new Lebanese president would necessarily fulfill the requirements of UNSCR 1559, as Parliament Speaker Nabih Berri is now claiming so as to be able to assert that 1559 will no longer be needed after elections. On the election, Mitri relayed that he heard from Jordanian Foreign Minister Abdelelah Al-Khatib that French Foreign Minister Bernard Kouchner suggested delaying the Special Tribunal on former Prime Minister Rafiq Hariri's assassination in order to placate the Syrians into allowing the elections to proceed. This shocking statement was reportedly later downplayed by French Special Envoy Jean-Claude Cousseran. End Summary.

INTENT OF UNSCR 1701 DRAFTERS
TO REINFORCE UNSCR 1559

2. (C) The Ambassador, accompanied by PolOff, met with Acting Foreign Minister Tariq Mitri October 1. As Mitri participated in the drafting of UNSCR 1701 IN 2006, the Ambassador, noting the recent calls by pro-Syrians to declare UNSCR 1559 implemented, asked for his views on whether he believes it supersedes or reinforces UNSCR 1559, specifically regarding the disarmament of militias. "Frankly, I hadn't thought about this," Mitri responded with surprise, promising to speak to his diplomats in New York. Mitri agreed that the drafters of 1701 had discussed this issue, and the assumption at the time was that UNSCR 1559 would still apply. The underlying assumption was that, with the Siniora government, this issue was not a concern: the GOL believes that both resolutions remain valid.

3. (C) Mitri noted that then-U.S. Ambassador to the UN John Bolton was responsible for the insertion of UNSCR 1701 of the part in OP8 calling for full implementation of UNSCR 1559. At the time, Hizballah was so intent on getting a cease-fire agreement that there was little discussion on the text of UNSCR 1701. Soon after the resolution was passed, then-UN Secretary General Kofi Annan was asked about the disarmament

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issue and was hesitant to state an opinion, saying that it was up to the Lebanese to deal with this and to determine a timeframe, Mitri said. At that moment, Hizballah interpreted

Annan's statement to mean that UNSCR 1701 trumps UNSCR 1559.

MITRI'S INTERPRETATION
IN LIGHT OF THE ELECTIONS

14. (C) Mitri noted that he was surprised to hear Berri's position that the election of a new president should put to rest UNSCR 1559. UN Security Council resolutions do not die off but remain as resolutions, he said, referring to UNSCR 242, which has remained in effect since 1967. Yet he suggested there could be flexibility in the acceptance of this position, depending on who the president is. If the president is clearly March 14, such as Nassib Lahoud, then the GOL could accept an argument about doing away with UNSCR 1559, since Lahoud is so clearly committed to Hizballah's disarmament. However, if the president is someone like MP Robert Ghanem, seen as less a stalwart of March 14 and a weaker figure, then the GOL would need to be clear in preserving UNSCR 1559 to counter Hizballah. Intrigued by the issue, Mitri concluded by saying he would discuss this with his diplomats in New York.

FRENCH IDEA TO MITIGATE SYRIAN
DISRUPTION TO ELECTIONS

15. (C) Regarding Syrian involvement in the Lebanese elections, Mitri assumed the SARG is sitting back, expecting to be solicited on its choice of a presidential candidate. That, Mitri says, is how Lebanese presidential elections have always occurred: the Syrians wait for people to show up in Damascus to make deals. French FM Bernard Kouchner, in a recent meeting with Arab dignitaries, reportedly stated his belief that elections cannot proceed without talking to the

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SARG, and that in talking to the Syrians, one needs to be able to offer rewards. Jordanian FM Abdelelah Al-Khatib told Mitri that Kouchner suggested delaying the Special Tribunal on the assassination of former Lebanese Prime Minister Rafiq Hariri. This idea strongly offended Saudi Foreign Minister Prince Saud al-Faisal, who countered that it is necessary to see the Tribunal's timeline accelerated instead. Following this meeting, Lebanese Ambassador to the UN Nawwaf Salam invited French Special Envoy Jean-Claude Cousseran to dinner, where Cousseran downplayed Kouchner's suggestion.

LEBANESE CONCERNED USG MAY DELAY
ELECTIONS

16. (C) In closing, Mitri relayed a concern that had been floating around Lebanon, in response to the timing of Washington's Middle East conference; namely that the U.S. is focused on regional issues and not on assuring that the Lebanese presidential elections take place by November 24. The belief is that the USG needs more time to figure out regional peace before it can focus on Lebanon's. The Ambassador assured him this was not the case: the USG is intensely focused on Lebanon.

COMMENT

17. (C) Parliament Speaker Nabih Berri's recent statements on superseding UNSCR 1559 presumably rests on the issue of disarmament, with UNSCR 1559 explicitly calling for the disarmament of all militias, while UNSCR 1701 uses softer language, stating "no weapons without the consent of the GOL." We expect March 8 will use this as yet another unstated veto criterion for March 14 presidential candidates.
FELTMAN